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Attorney for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARBARA ROCKMORE,

Plaintiff,

-against-

DARRICK E. ANTELL,
DARRICK E. ANTELL, M.D., D.D.S., P.C.,
DARRICK E. ANTELL, M.D., F.A.C.S and
DARRICK E. ANTELL, M.D., F.A.C.S., P.C.,

Defendants.

Case No.: 07-CV-3592

**NOTICE OF MOTION AND
MOTION TO DISMISS**

**TO: THE CLERK OF THE ABOVE-ENTITLED COURT, AND TO PLAINTIFF,
BARBARA ROCKMORE, AND TO HER ATTORNEY OF RECORD,
SCOTT A. LUCAS, ESQ.**

PLEASE TAKE NOTICE that pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Darrick E. Antell; Darrick E. Antell, M.D., D.D.S., P.C.; Darrick E. Antell, M.D., D.D.S., P.C., F.A.C.S.; Darrick E. Antell, M.D., F.A.C.S.; and Darrick E. Antell, M.D., F.A.C.S., P.C. (hereinafter "Defendants") will and hereby do move the above-captioned Court, returnable at Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and time to be set by the Court if oral argument is desired, for an order dismissing Plaintiff's Complaint. Defendants will

and hereby do also move for such other and further relief as may be just, proper and equitable.

This Motion is based on Plaintiff's Complaint dated March 26, 2007; Defendants' Memorandum of Law in Support of Motion to Dismiss dated May 11, 2007; the Declaration of Christina L. Feege, Esq. dated May 11, 2007, and the exhibits annexed thereto; and on such other and further argument and evidence as the Court deems necessary for the adjudication of this Motion.

Dated: May 11, 2007

LITTLER MENDELSON
A Professional Corporation
By:

/S/

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